

**CALENDAR ITEM
C30**

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S 3

12/17/14
PRC 5564.1
J. Sampson

**GENERAL LEASE – RECREATIONAL AND
PROTECTIVE STRUCTURE USE**

APPLICANTS:

Bert E. Blackwelder and Araminta D. Blackwelder

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 175 Edgewater Drive, Rio Vista, Solano County.

AUTHORIZED USE:

Continued use and maintenance of three existing wood pilings, three steel pilings, concrete stairs, and bank protection.

LEASE TERM:

10 years, beginning September 27, 2014

CONSIDERATION:

Three Wood Pilings, Three Steel Pilings, and Concrete Stairs: \$173 per year, with an annual Consumer Price Index adjustment.

Bank Protection: The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On September 27, 2008, the Commission authorized issuance of a General Lease – Recreational and Protective Structure Use to Bert E. Blackwelder and Araminta Blackwelder. That lease expired September 26,

CALENDAR ITEM NO. **C30** (CONT'D)

2014. The Applicants are now applying for a General Lease – Recreational and Protective Structure Use.

3. The bank protection will mutually benefit both the public and the Applicants. The bank of the Sacramento River will have additional protection for the river channel from wave action provided at no cost to the public.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

CALENDAR ITEM NO. **C30** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Bert E. Blackwelder and Araminta D. Blackwelder, beginning September 27, 2014, for a term of 10 years, for continued use and maintenance of three existing wood pilings, three steel pilings, concrete stairs, and bank protection, as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration for the three wood pilings, three steel pilings, and concrete stairs: \$173 per year, with an annual Consumer Price Index adjustment; consideration for the bank protection: the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5564.1

LAND DESCRIPTION

Seven parcels of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Rancho Los Ulpinos, patented August 9, 1866, County of Sacramento, State of California and more particularly described as follows:

PARCEL 1 - Stairs

All those lands underlying an existing concrete stairs lying adjacent to that parcel described in Exhibit "A" of Interspousal Transfer Deed, recorded April 26, 2005 in Document No. 200500059870 in Official Records of said County.

TOGETHER WITH that land lying immediately beneath any bank protection structure adjacent to said parcels.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

PARCELS 2 through 4 – Wood Pilings

All those lands underlying three existing wood pilings lying adjacent to that parcel described in Exhibit "A" of Interspousal Transfer Deed, recorded April 26, 2005 in Document No. 200500059870 in Official Records of said County.

PARCELS 5 through 7 – Steel Pilings

All those lands underlying three existing steel pilings lying adjacent to that parcel described in Exhibit "A" of Interspousal Transfer Deed, recorded April 26, 2005 in Document No. 200500059870 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 09/30/14 by the California
State Lands Commission Boundary Unit



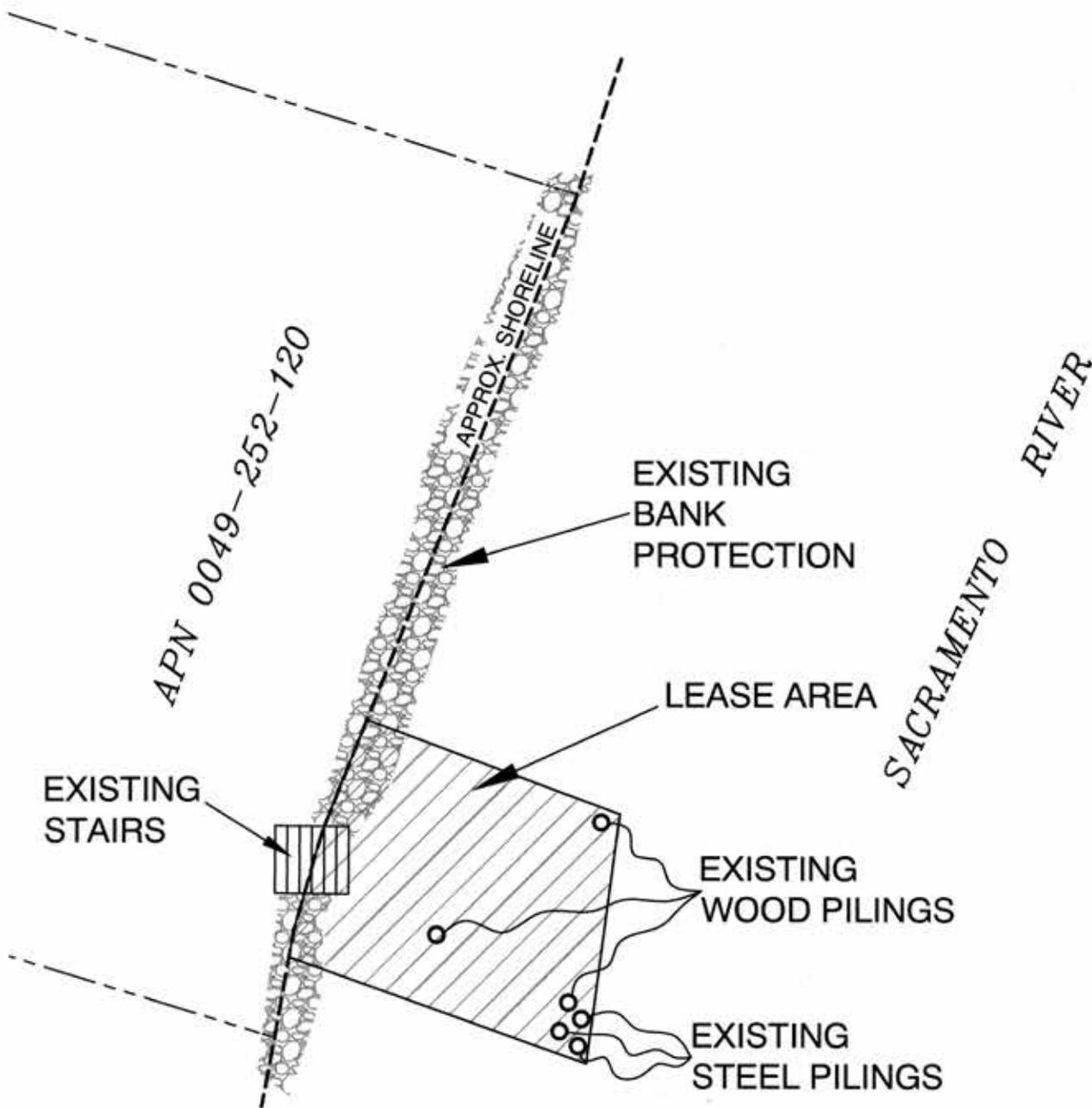


EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 5564.1, BLACKWELDER
SOLANO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



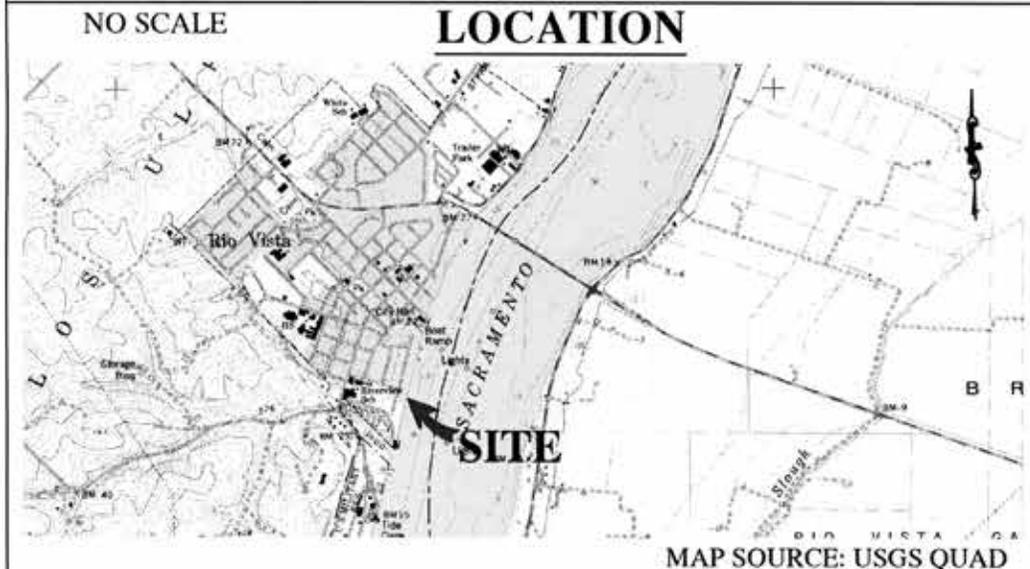
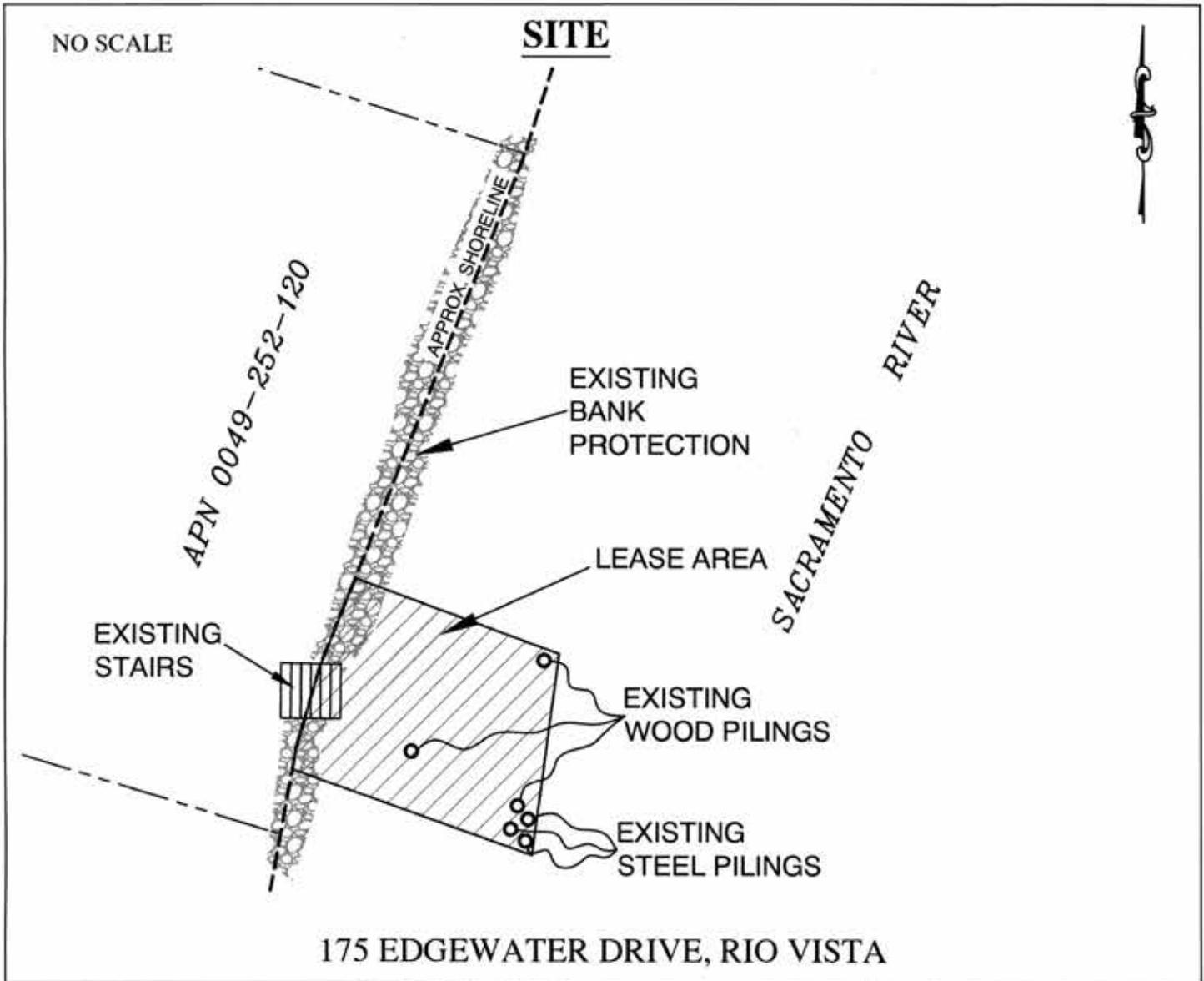


Exhibit B

PRC 5564.1
 BLACKWELDER
 APN 0049-252-120
 GENERAL LEASE -
 RECREATIONAL & PROTECTIVE
 STRUCTURE USE
 SOLANO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.